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OF THE

Illinois State Historical Society

Published Quarterly by the Illinois State Historical Society
Springfield, Illinois

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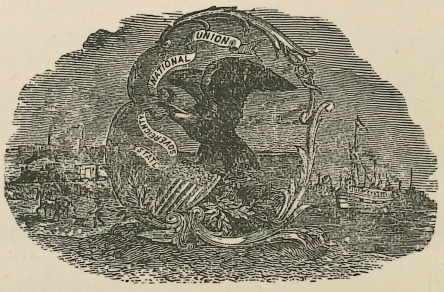

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MCLEAN COUNTY HISTORICAL SOCIETY
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A Chapter from the History of the Underground Railroad in Illinois

A Sketch of the Sturdy Abolitionist, John Hossack.

By Rev. John H. Ryan, Kankakee, Illinois.

The State of Illinois was geographically well set to be a natural battle ground for opposing forces in the issues of human slavery.

Extending from the latitude of Massachusetts and New York to Virginia and Kentucky, and crossing the lines of natural migration, it was destined to hold within its ample borders those schooled under the widely divergent views of the older settlements, now to be brought into sharper contrast, by neighborhood relations, on common ground.

Illinois also along considerable of its borders joined with slave territory, much in controversy, while its waterways, state roads, and later its railroads, gave direct and well defined outlet to the great lakes and the border lands of freedom beyond.

Those habitations of the State of common thought and tradition with the slave holder had been tolerant to the system, and indifferent to it where it was, but even many of these had retired before the distinction that free and slave labor was making, and were opposed to being again brought into competition with an institution which degraded free labor and was so impatient of territorial restraint.

Slavery in Illinois under the French, and its prohibition under the Ordinance of 1787, as well as under the Constitution adopted by the People in 1818, are all well known items in the history of the general subject, but a system of "In-

dentured servants'' still prevailed and became the occasion of an effort to change the Constitution favorable to slavery, which resulted in a long and bitter controversy, ending in the overthrow of the pro-slavery forces in August, 1824, by an appeal to the polls.

The question now seemed to be settled, but the anti-slavery ferment was quietly working, while the pro-slavery party, unsuccessful at the ballot, was insidiously persevering in its efforts to perpetuate slavery by judicial decisions.

The battle in the courts, the effect of the controversy on legislation, and its influence on the Federal policy, are chapters in the history of a contest which could have but one culmination, a crisis foreshadowed in the prophetic utterances of Abraham Lincoln in involved principles ''as opposed as God and Mammon,'' indicating fundamentally that ''a house divided against itself could not stand.''

The unreasonable aggression of the slave power, found resistance born of conviction in the rising tide of freedom; prejudicial legislation, an unfriendly judiciary, exasperated to a frenzy of protest, while the wrongs and robberies of professional kidnappers found answer in a fixed and unqualified determination of many to help to freedom any man, woman or child that had courage to look to the northern sky.

In thus assisting the fugitive slave, the abolitionist was making the most effective protest against the slavery system, for he was not only helping the oppressed but he was baffling and rebuking the oppressor.

The act was justified on the assumption ''that bad laws are the worst sort of tyranny, and resistance to tryanny is obedience to God.''

These men, who represented every calling and profession, were distinguished by generous sympathies and high moral standards and opposed the regular order of society only in this, that they looked upon these laws as unjust and oppressive.

Being true to their convictions they took unusual risks of social ostracism, heavy fines, imprisonment and personal

danger, and the object of this sketch is to outline the particulars in one of the famous trials of the State and Nation, and the personal relations of a sturdy, heroic abolitionist to this remarkable trial—

September 4th, 1859, three slaves escaped from the plantation of Richard Phillips, near New Madrid, Missouri, and one Jim Gray was captured in Union County, and imprisoned under the State law. This being irregular, a man by the name of Root interested himself in behalf of the negro and swore out a writ of habeas corpus before Judge J. D. Caton of the Supreme Court in Ottawa.

Here the various Under Ground Railroad lines of the State converged, and continued with slight variation in the direction of Chicago. Here, too, lived Dr. Gooding, William Carter, James and Joseph Stout, the Fyfes, H. L. and John Hossack, the last named the most favorably known, in this trial, as he was most conspicious in courageous fidelity to the inner light, even to bonds and imprisonment.

John Hossack was born in Scotland in 1806, and spent his boyhood among the rugged hills, typical of the character of his ancestry, and vividly associated with deeds of conspicious heroism that inspired his stalwart nature.

The dream of a free land and unqualified opportunity turned his face first to Canada, and later to the States, coming to Ottawa in 1849, entering the lumber and grain business with a success commensurate with his thrift and energy.

The first slave he helped to freedom was sent to him by Ichabod Codding in 1844; he was then living on a farm at Hossack's Grove, 22 miles from Chicago. He hitched his team to a wagon and started with three slaves intrusted to his care. On the way they passed a gang of workmen on the Canal, who cried derisively—"The Niggers", and ran menacingly toward them, but a good team made escape possible, even through a shower of stones, which, fortunately, did little damage. Another hostile attack was made a few miles further along the canal. As they neared Chicago, they waited till dark, and then drove in, delivering the slaves to that grand philanthropist, Dr. C. V. Dyer.

For the next twenty years his life was replete with like instances, varying only in the numbers assisted, the desperate risks taken, the sacrifices, the exposures endured.

While "Nigger Jim" was enroute for Ottawa, Mr. Hossack received an unpretentious telegram signed "Hough." It ran "Meet friends at the depot." Hossack obeyed, and as the train stopped a colored man was taken off, and with him, Phillips, his son, Constable Albright, and three notorious kidnappers, Jones, Curtley and McKinney.

The slave had a trace chain fastened to his legs, his arms pinioned, and a rope around his neck, and down between his legs—the end held by a white man, the negro walking in front.

Hossack's intense nature, quickened by the antagonism of years of conflict, challenged the brutality and asked, "What crime has he committed?" Has he done anything but want to be free? And, to an impertinent answer he responded, "That no man could be taken through the streets of Ottawa thus humilitated, not while John Hossack lived." It is needless to say that the exhibit was made less offensive—and the negro was quietly encouraged to look up and expect friends.

The Phillips party put up at the Geiger House, and in deference to the abolitionists, the slave was not put in the jail.

That night the church bells rang, hurried consultations were held—fear smote the elder Phillips, and he began to lose interest in his "Nigger." Two meetings were held, the lawyers in Judge Leland's office, and those not of the legal profession, in the office of Dr. Joseph Stout, while Mr. Cameron visited Judge Caton at his residence, and found that the case would be tried at the Court House the following morning at 9 o'clock.

Judge Caton had already delivered himself in memorable sentences connected with slavery trials. A Peoria lawyer by the name of Purple had brought Mr. Lovejoy before the County Court of Bureau County for giving comfort to two fugitive slaves in May, 1843, and in the first test was successful, but an appeal was taken to the Circuit Court before Judge Caton in Princeton, where Lovejoy, represented by James H. Collins, was acquitted. Judge Caton charging the jury that

"property in a slave was not one of those natural rights resulting from organized society, as property in animals, etc; that slavery can only exist in the statute laws, common laws or custom; and such sanction must be shown before legal right between master and slave can be admitted, and this evidence, and the residence of these slaves must be shown before Lovejoy could be convicted." This was the most advanced position taken by any Court in the State up to that time.

"Under the Constitution of this State slavery can not exist here, and the Master bringing his slave into the State he becomes that moment free, and if he goes out from his Master in this State it is not an escape from slavery but as a free man has a right to go. And harboring such a person is no offense against our law*"

But this was a different case, as the narrative will show. The best legal talent was secured in the persons of L. Leland, B. C. Cook, J. O. Glover, and some younger members of the bar were secured for the negro, while Messrs. Gray, Bushnell and Avery appeared for Mr. Phillips.

The hour of trial arrived. The prosecution offered their evidence and the defense cross examined, and brief arguments were made on both sides. The Judge, with expression of deep solicitude, arose to make his decision, but prefaced the same by a conciliatory appeal to the common respect for the Constitution, the laws and the good name of the town. He then discharged the negro from the custody of the State, declaring his arrest to have been illegal, but held him under a writ issued by the United States Commissioner under the United States "fugitive slave law"—remanding him to the custody of the United States Marshal to be taken before Commissioner Conreau.

The Judge's pathetic appeal had for a time paralyzed the "tigers", as the Abolitionists were called, and some heroic move must be made to bring concert of movement in the Court room rather than a battle in the street. James Stout, whose wit saved him on other occasions, moved "that the

*N. D. Harris, Negro Servitude in Illinois. Chapter VIII. The Slavery Question in the Courts, pp. 99-123.

meeting resolve itself into a committee of the whole to carry out the law", meaning the higher law. Hossack said, "If you want your liberty, come." Dr. Stout separated the negro from the Marshal, and Hossack threw himself in the way of the officer. A lane, lined by Abolitionists, made a path for the negro, which closed behind him, but his way was blocked at the door; Dr. Hopkins, an athlete, who had been standing outside, caught the negro by the shoulders and lifted him free of the crowd: Some one cried "the carriage" and, not seeing the gate, the negro leaped the fence at a bound, and plunged head first in and through the carriage, both extremities sticking out. Campbell leaped into the carriage, in company with two others. Peter Myers made a dash at the prancing horses, but Hossack sent him to the dust of the street, and the wild black team sped away leaving only a cloud of dust, and a bewildered baffled, angry crowd surging about the scene of the well executed escape.

Mr. Campbell sped north on LaSalle Street and then east under the aqueduct, across Fox Rixer, and south over the Illinois River at Brown's Ford, and from there they drove as directly as possible across the Prairie to William Strawn's home, twenty miles south of Ottawa, in the town of Bruce, six miles east of where Streator now stands — (no town there then.)

On arriving, they found Mr. Strawn and his wife were in Chicago attending an anti-slavery meeting. Williamson Laughlin, whose home on the County line was a station of the Under Ground Railroad, was in charge of Mr. Strawn's place. He hitched a mule team to a carriage and he and a man for a guard, took "Nigger Jim" to Dwight, left him in charge of a guard, and Laughlin took the train for Chicago, called Mr. Strawn from the meeting a little after 9 a. m. and returned that day by train to Dwight.

The same night Mr. Strawn and Jim Gray rode mule back to Chicago, following the line of the Chicago and Alton Railroad as closely as possible, going directly to Philo Carpenter, who attended to sending Jim to Canada.

For this violation of the law, John Hossack, Dr. Joseph and James Stout, with some ten or fifteen others, were indicted. The first three being the great offenders, were taken to Chicago, and lodged in jail; most of the others were released on their own recognizance.

John Hossack was defended by six able lawyers—Hon. Isaac N. Arnold, Joseph Knox, B. C. Cook, J. V. Eustace, E. Leland and Hon. E. C. Larned, but the Fugitive Slave Law and the machinery of justice was against him and he was convicted. When asked by the Court why sentence should not be passed, he made an answer before Judge Drummond, in a speech of fifteen hundred words, that will become memorable as later generations appreciate the heroism of our National crisis. The address glowed with the warmth of philanthropy even while his soul, serene in moral fearlessness, dared the rebuke that pretentious justice merited.

The Court imposed a sentence of ten days in jail, and a fine of one hundred dollars, to which was added the Court expenses of $591.

It was a dearly bought victory by the foes of freedom. Men came to serious reflection. Ill bodes the future if this is justice, for where shall conscience play its part or freedom know the occasion of its boasting. Thus the story of this prosecution ran through the press of the land, and John Hossack's noble protest was printed again and again.

John Wentworth was at that time Mayor of Chicago, and proprietor of the Daily Democrat. Through which avenue he spoke ; there was but one sentiment. "Scotchmen, patriots and citizens, visit John Hossack. Remember our friends of freedom as bound with them." and "Let these fines and costs be paid", was the editorial slogan of the Democrat, while through policemen on their beats, through the offices of the Democrat, L. C. P. Freer, and the Comptroller, through Hoffman's Bank and at the prison itself the responses nobly came. Wentworth's editorial following the conviction of Hossack, is significant in the light of this later review.

"Last night Hossack and his two companions in bondage stood at the grated windows of their cells and beheld the long

lines of men dressed in uniform, bearing torches, marching to the sound of martial music, and piercing the ear of night with acclamations of honor to Stephen A. Douglas.

On one side of the gates were men who had done only what Christ and his apostles would have done—what every man with a heart true to humanity must have done. On the other side a man, who at best, cares not whether slavery is voted up or voted down,—cares not whether our country shall be free or slave, cares not whether the laborer shall own his own sinews and the fruit of his own toil, or whether they shall be the property of another."

This was in October, 1860. What momentous issues were rushing to their culmination? In five short months Stephen A. Douglas, defeated candidate for the presidency, James Buchanan, retiring President, of whom it is only respectful to speak in pity, and Chief Justice Taney of Dred Scott fame, stood on the inaugural platform with Abraham Lincoln. An old school of political thought was passing, a new series of events had been ordered, in which only one of that group could have a part. Abraham Lincoln stood in the full light of the new day that had broken upon the Nation, but Benjamin Lundy, Eastman, Carpenter, Codding and John Hossack, like mountain peaks, high lifted above the mists of doubt and fear, caught the first rays of the coming morning.